



120903

10/28/02 U.S. PTO

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 029379.50530D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE17497 U.S. PTO
10/729908

120903

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 10/289,440
Filed on: November 7, 2002
Of: Hideyuki KIMURA et al.
Entitled: SCROLL FLUID MACHINE
Examiner: John J. VRABLIK
Group: 3748

- ☒ 1. Accompanying this order is a true copy of the prior application as originally filed, including 4 claims (20 pages).
- ☒ 2. 12 Sheets of Formal Drawings showing Figs. 1-12(b).
- ☒ 3. Declaration and Power of Attorney:
- a. ☐ Newly executed (original or copy)
- b. ☒ Copied from prior application
- i. ☐ Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- ☒ 4. Incorporation by Reference:
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☒ 5. Cancel original claim1 prior to calculation of the filing fee.
- ☐ 6. Small entity status:
- a. ☐ A small entity statement is enclosed

b. ☐ A statement of small entity status (copy attached) was filed on ___ in the prior application and status as a small entity is still proper and desired.

c. ☐ Is no longer claimed

☒ 7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee					<u>\$385</u>	<u>\$770</u>
Total Claims	<u>3</u>	-	20 = <u> </u>	x	9 = <u>\$ </u>	18 = <u>\$ </u>
Ind. Claims	<u>3</u>	-	3 = <u> </u>	x	43 = <u>\$ </u>	86 = <u>\$ </u>
<u> </u>	Multiple Dependent Claims			+	145 = <u>\$ </u>	290 = <u>\$ </u>
Total					\$	\$ 770

☐ 8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.

☒ 9. A check in the amount of \$770.00 to cover the filing fee is enclosed.

☒ 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #029379.50530D2).

☒ 11. Amend the specification by inserting the following new paragraph [0001]:

[0001] The present application is a division of Application No. 10/289,440, filed November 7, 2002, which is a division of Application No. 09/983,017, filed October 22, 2001, the entire disclosures of which are incorporated herein by reference. Priority is claimed based on Japanese Patent Application No. 2000-322025, filed October 20, 2000.

☒ 12. Priority of Appln. No(s). 2000-322025, filed in Japan on October 20, 2000, is hereby claimed under 35 U.S.C. 119.

☒ 13. A certified copy of said priority document was filed in application Serial No. 09/983,017 on January 25, 2002.

☒ 14. The prior application is assigned of record to Anest Iwata Corporation and the assignment was recorded on January 25, 2002 at Reel 012511, Frame 0230.

- ☒ 15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- a. ☒ The power appears in the original application papers in the prior application.
- b. ☐ Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. ☐ Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- d. ☒ Address all future correspondence to:

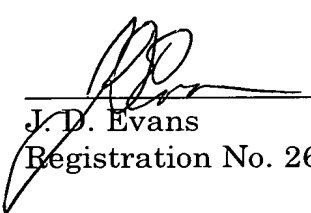
J. D. Evans
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

- ☒ 16. An Information Disclosure Statement and Forms PTO-1449 are submitted herewith.

- ☒ 17. Other: Application Data Sheet

Respectfully submitted,

December 9, 2003



J. D. Evans
Registration No. 26,269

CROWELL & MORING, L.L.P.
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Tel: (202) 624-2500
Fax: (202) 628-8844
JDE:dc